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## NOTES.

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### I. MUNICIPAL GOVERNMENT.

#### **Instruction in Municipal Government and Its Betterment.—**

In practical politics the American citizen overlooks the complex nature of his citizenship. In theory he is expected to determine consciously and intelligently the character of administration in some eight or more distinct governmental units. At different times the hypothetical citizen is to concentrate his patriotism and his interest upon each separate unit in its turn. In theory he is to consult the needs of each division irrespective of any other divisions, except as there is by law an organic relation. He is to have in his mind and heart a place for each unit as distinct as the sharp geographical line between precinct, ward, city, legislative division, county, congressional district, state, United States. In theory election judges are chosen to guarantee a pure ballot and an honest count; city officers consult only the local needs of the city; state officers concern themselves with essentially state problems; while only national officers are chosen because of national political leanings.

In practice, however, the American knows for the most part but one citizenship. He is an American and only an American, and as such, chooses for every office the man who holds the right views with reference to national policies. Accordingly, we have Republican and Democratic nominees for school director, assessor, treasurer, mayor and state executive, notwithstanding the utter absence of any essential point of contact between the functions of local, state and national offices. The reason for this anomalous situation is found in the exigencies of the national political party. In the absence of organized resistance to this universal tendency to confuse national, state and local issues, it will continue, for it has the organized support of all national parties, whether republican, democratic, prohibitionist or socialist.

Attempts have been made to cry this confusion out of existence, or to eliminate it by revealing the corruption and poor government incident to it. Again it was sought to cripple the national organization which encouraged the confusion by taking away patronage or spoils and establishing civil service commissions. Lastly and with greater success, organization was met by organization, and civic organizations in all parts of the country undertook to isolate city from national

patriotism to correspond with the isolation of essential interests. These citizens' leagues multiplied, until now they number nearly five hundred. League conferred with league, whence arose the state and national conventions of non-partisan citizens' clubs. Journals were established to represent the new movement, until to-day we have various monthly and bi-monthly magazines devoted exclusively to municipal problems, while others have special departments of municipal notes.

Independent municipal organizations have encountered not only the opposition of organized national parties, but also the apathy of the citizen. To counteract these two factors, there seems no recourse but painstaking education. At the present time it would seem that the various educational agents are not serving sufficiently to aid the movement to give to municipal matters a concentrated attention independent of national party lines. The various journals published by municipal leagues circulate, for the most part, rather among allies than among possible recruits. The daily press is with difficulty won over to the support of independent candidates. Likewise the textbooks, in harmony with past political traditions, cater to an interest in national government, to the partial if not total exclusion of municipal problems.

Realizing this and appreciating the importance of enlisting the forces of education in the cause of municipal betterment, the National Municipal League has instituted an inquiry into the extent of instruction in municipal government and its betterment. A committee was appointed, consisting of the secretary of the National Municipal League and representatives of departments in political science in six educational institutions.<sup>1</sup> President Thomas M. Drown, of Lehigh University, is chairman of this committee, and Dr. William H. Allen, of the University of Pennsylvania, is secretary. Professor John L. Stewart, of Lehigh University has been added to the committee.

Manifestly the first work of the committee should be the collection of facts with reference to present courses of instruction in municipal government and its betterment. Wherever such courses are given, the co-operation of the instructors will be requested, in order that the lessons of practical experience may be disseminated. It will require a considerable period of time to secure answers to the personal letters which will be sent to every college in the country. The classification of the data received and the compilation of results will also entail a great deal of labor. Of great importance should be the tabulated results, independent of the collateral reports and recommendations which may be expected from the com-

<sup>1</sup> ANNALS, January, 1901, p. 147.

mittee. By the dissemination of the report among the colleges, the cause of education as well as of municipal progress should be greatly advanced.

**Buffalo.**<sup>1</sup>—*State Legislation.* Three measures affecting the city of Buffalo have been presented in the legislature at this session. One abolishes the Board of Public Works, which consists at present of three members, two appointed by the mayor and the third elected by the people. The two appointive members must be of different political parties. The proposed bill substitutes for these three commissioners a single commissioner elected by the people, who will have power to appoint two deputies. It is doubtful whether this measure will effect much economy in public expenditures, but it will at least concentrate responsibility. There seems to be no very serious opposition to it and it will probably become a law.

A second measure substitutes a single police commissioner for the present board of police commissioners, which consists of the mayor, *ex officio*, and two other members appointed by him. The single commissioner is to be appointed by the mayor, but may be removed summarily either by him or by the governor of the state, and a commissioner removed by the governor is made ineligible for reappointment by the mayor. There is a general belief in the public mind that the police force of Buffalo has become corrupt, and that there is no hope of a change for the better under the present management. Gambling dens are believed to be tolerated, if not protected, and officers high in rank who commit offences against public decency are “whitewashed” and retained in office. Most men, therefore, approve the proposed measure on the ground that it furnishes the only way out of the present situation, that it will concentrate power and responsibility, as does the bill first mentioned, and that its results cannot at any rate be worse than the existing state of things.

The most objectionable feature of this bill is the clause giving the governor the power of removal. This practically makes him the appointing power, is said to be a glaring violation of the principle of home rule for cities, and a long step toward that centralization of power at the state capital which is ever viewed with alarm. The advocates of home rule insist that the citizens of every community, great and small, should be compelled to lie in beds of their own making and to work out their own salvation. Without this clause there would probably be very little opposition to the bill, and it is but fair to say that there are some who think the clause in question will do very little if any harm. The objection that the bill is a “partisan grab” has been cunningly disarmed by providing that the present mayor (who is a Democrat,

<sup>1</sup> Contributed by A. C. Richardson, Esq.

while the legislature is Republican) shall appoint the first commissioner.

The third bill referred to proposes to establish a bureau of elections, consisting of a commissioner and a deputy, with the necessary force of clerks and assistants, who are to have entire charge of preparing for primaries and elections and the custody of primary records. As this work has been done for the last ten years to everybody's satisfaction by the city and county clerks and their subordinates, the proposed bill is criticised as a palpable attempt to provide places and salaries at public expense for a couple of party workers. It does not seem to be necessary, has not a single friend and will probably not be pressed seriously.

**Pittsburg.**<sup>1</sup>—*State Legislation.* There is great activity at present in devising new charter legislation for Pittsburg. The situation is complicated by the fact that any legislation passed for it must also apply to Allegheny and Scranton, which are also cities of the second class. At present the charter for cities of that class gives very little authority to the mayor. The heads of municipal departments are elected by councils for five year terms, and while nominally they are subject to the supervision of the mayor, he has practically no control over them. A new charter is proposed in an act introduced by Senator Muehlbronner, of Allegheny, which centres responsibility in the mayor's office and provides that the heads of departments shall be appointed by him and shall be removable by him. Heated controversy has been excited by a portion of the act which legislates the present mayors out of office and provides that appointees of the governor shall fill the vacancies. His appointees are to hold office until the municipal election in 1903, and these appointed mayors shall have complete power to fill all offices and employments in the executive department, whereas in the regular operation of the charter the mayor's appointments shall be subject to confirmation by the select branch of councils. The reason urged in behalf of this extraordinary provision is that it is necessary to get the new form of government fairly started.

Under the new charter the select branch will be elected from the city at large on a general ticket and it is hoped that in this way a body of higher character will be obtained than exists at present. Select councilmen are to be elected for a term of four years, but it is so arranged that only about one-half will be elected at any one time, the other half holding over. The mayor is to be elected for a term of three years, and common councilmen, who alone are to be chosen by wards, will serve for a term of two years. The act provides for the

<sup>1</sup> Contributed by Henry Jones Ford, Pittsburg.

adoption of civil service regulations and contains various other requirements intended to promote good administration.

**Baltimore.**—*State Legislation.* In the course of ordinary events the Maryland legislature would not convene until 1902. An extra session has been called by the governor in response to party demands from two quarters. The city leaders strongly urge sewerage legislation for Baltimore. The state leaders wish a state census for the purpose of redetermining the representation of the different counties in the House of Delegates, upon the ground that the national census was packed in order to wipe out Democratic majorities in certain counties. It is also proposed to amend the present ballot law, the main object being to disfranchise the negro, but without the saving conditions of Mississippi, Georgia and South Carolina. The people of Baltimore are not disposed to question the motives of party leaders in calling an extra session provided that a sewerage system will be made possible.

It is not generally known that the city of Baltimore is entirely without any adequate method of caring for house refuse. The prevailing method is by cesspools in a majority of cases and by private sewer pipes which, without exception, empty their contents into the harbor of the city, or the "Basin" as it is popularly known. This has naturally created conditions which are being more and more realized as hazardous to the health of the community. The principal business interests of the city are adjacent and in proximity to the water front at the basin. The basin being at the head of tide water has no current, and solid matter carried down Jones' Falls deposits itself in the form of a delta at its mouth. The basin has become a pot of corruption and during the heated summer season the effect upon even the least fastidious is nauseating.

The present mayor of Baltimore, whose administration of municipal affairs stands out in attractive contrast to many that have gone before, has pledged himself to the construction of complete and adequate house sewers and has stated that if an extra session of the legislature is held, he will insist upon the passage of an enabling act authorizing the city to issue its credit to an amount necessary for the purpose.

This in brief, is the present situation : There have been two reports made by a municipal sewerage commission assisted by scientific investigation, in both of which reports the main question of the necessity for sewers is strongly urged ; they differ only as to the manner of disposing of the refuse so as to be unobjectionable to the people of both city and state. The conclusions of these two reports are generally acceptable to the administration and to the public, the press of the city being specially importunate to have an early beginning of the work. In general it may be stated that the cost of the proposed

system will be between seventeen and twenty millions of dollars. While this amount may seem very large, yet, when it is considered that it means a complete system of trunk, lateral and intercepting sewers, not to speak of the great number of connections into houses, for a city having between five and six hundred thousand inhabitants, with an estimated additional capacity for increase up to one million, the per capita cost is not extravagant. The public of Baltimore itself is in reality responsible for the large cost. From time to time the construction of sewers has been postponed, while at the same time valuable franchises have been granted by the municipality for occupation of the streets' sub-surface until low cost construction of any character is impossible.

The plan now being discussed contemplates, within the expenditure of the above stated amount, to repave the streets which will be torn up for sewers, with improved material from curb to curb. An early solution of the double problem depends upon securing authority from the legislature necessary to the issuing of a loan for the purpose before the details can be determined.

**New Orleans.**<sup>1</sup>—Local municipal government has for many years been guaranteed to the people of New Orleans by the state constitution. The members of the legislature from other parts of the state have never forced on New Orleans legislation opposed by the members elected by the people of the city. There is no central state authority or control over local policies, local taxation or local administration except that the state constitution limits the rate of *ad valorem* tax on property for alimony to ten mills, for interest on debt to ten mills, for interest on water and sewage bonds to two mills. The assessors to list and value property are appointed by the governor and the assessment or valuation for state purposes is used for municipal taxation. The city is prohibited from imposing a license or occupation tax (which must be graded) greater than that which the state imposes. It may impose a smaller tax but it has never failed to impose the maximum. A state board of appraisers assess or value property of railway, telegraph, telephone, sleeping car and express companies.

The governor appoints a part of the local school board, the majority of whose members, however, being appointed by the city council. The following boards are created by acts of the state legislature: The police board, fire board, drainage commission, sewerage and water board, board of liquidation of city debt, levee board and board of health. The members of these boards, however, are chosen by the mayor or the city council, generally by the city council. The latter has a check on the action of all the boards, in that it distributes the

<sup>1</sup> Contributed by B. R. Forman, Esq., New Orleans.

money to each. Two exceptions are the levee board, which has a special fund, and the board of liquidation of city debt. Thus it will be seen that the central state power in municipal affairs is very small, practically nothing as a legal power. It sometimes exerts political or moral influence through pressure on local politicians.

**Cleveland.**<sup>1</sup>—*Street Railway Franchises.* The street railways of Cleveland are owned by two different companies, the Cleveland Electric Railway Company and the Cleveland City Railway Company. The former has about 100 miles of tracks in and out of the city; the latter about eighty miles in and out. The franchises of the first company have an average life of about fourteen years; those of the latter about eight years. A number of attempts have been made during the past five years by one or both companies to secure a renewal of their franchises for twenty-five years, the period fixed by statute. During the present mayor's term of office the Cleveland City Railway Company has been persistently endeavoring to secure the passage of an ordinance that would extend its franchises. December last the Board of Control, which consists of the mayor and the heads of departments, and which, under Cleveland's "federal plan," passes on public measures of this kind in conjunction with the city council, reported favorably upon an ordinance drafted by the law department of the city granting renewal of contracts.

The chamber of commerce, which is the strongest civic body in Cleveland, asked permission to consider the ordinance whereupon the mayor referred it to that organization for consideration. The ordinance was received by the chamber of commerce and referred to a special committee of five which was to report upon: (1) the advisability of renewing the franchises of the Cleveland City Railway Company eight years in advance of the expiration, (2) whether the terms of compensation are sufficient, (3) whether the ordinance is satisfactory with regard to the safeguarding of the city's interests in its relations with the company. The special committee has had the ordinance under consideration for the past six weeks and during that time it has given a hearing to citizens, railway officials and others interested in the subject and is at present writing preparing a report for the chamber. The term of the mayor expires in April, the present city council is disposed favorably towards the street railway companies, and the chances seem to be very largely in favor of the acceptance and passage of the ordinance. It is generally conceded that if the Cleveland City Railway Company secures the passage of this ordinance that the Cleveland Electric Railway Company will ask for and be granted

<sup>1</sup>Contributed by M. A. Fanning, Esq., Cleveland.

a similar piece of legislation, as there will be no reason for granting the one application and refusing the other.

The concessions contained in the proposed ordinance are summarized as follows :

Universal transfers. Retransfers from Willson avenue (crosstown line) to its own lines. Six tickets for a quarter for the first twelve years. Seven tickets for a quarter for the last thirteen years. Option of making several down town streets free territory. The city is to be paid percentages of the gross receipts as follows : Two per cent for eight years, three per cent for the next six years, four per cent for the following six years, and five per cent for the last five years of the franchise.

The company is required : To pay half the city's share of abolishing grade crossings along its lines. To file cost of future extensions with the city clerk. To pave sixteen feet of the streets traversed by its lines. To furnish power for operating all the drawbridges on its lines. To file a list of stockholders, whenever required by the mayor, with the city clerk. To dedicate a thirty-foot roadway from its private right of way east from Hough avenue to Wade park to the city for a street. To sprinkle all its tracks, and to comply with the usual requirements regarding construction, maintenance of its lines, etc. Operation of suburban cars the city permits, but it reserves the right to regulate in every respect.

The ordinance is conceded to contain all the safeguards that the city has asked, which are not in the existing ordinances, and the chief feature of discussion is the terms of compensation. Of course there are many people who do not believe that the subject of renewal should be taken up until the expiration of the present franchises, when, they believe, there will be little difficulty in securing every advantage in arrangements for the future. Among these are the advocates of municipal ownership of street railways, but especially the wage-earners who are of the opinion that better terms can be secured from the companies or from other companies, when the existing contracts expire, than can be obtained now. However, many are of the belief that the franchise question should be settled as soon as possible, and that it is better to make new arrangements now and enjoy the benefits of them during the next eight years than to postpone the settlement of the question and run the danger of having a corrupt city council pass a measure, by no means so advantageous, at some time when the people are not prepared to resist it. It is generally conceded that the action of the special committee of the chamber of commerce will determine the fate of the ordinance. If this committee reports against the renewal of franchises at this time it is not likely that the

ordinance will be pressed for passage. If, on the other hand, the report is in favor of renewing the contracts now, it will give sufficient color of public sentiment to enable the railway company to press the ordinance through the council.

**Cincinnati.**<sup>1</sup>—Since last summer several questions of vital importance have interested the citizens of Cincinnati.

(1) An investigation of the accounts of the deceased clerk of the Board of Education revealed a shortage of nearly \$200,000, a sum collected for tuition of non-resident pupils. The clerk was well known and had always been looked upon as a trusted employee. The school board funds must be deposited with the city treasurer and can be withdrawn only by proper voucher. The clerk neglected to turn over to the treasurer the amount collected by him as tuition, forged the treasurer's name to receipts, and the annual auditing committee of the Board of Education neglected to compare the clerk's books with those of the treasurer. Hereafter, it is needless to add, the auditing committee will examine all books.

(2) The present lease of the Cincinnati Southern Railway, a road 335 miles in length, running between Cincinnati and Chattanooga, and owned by the City of Cincinnati, will expire in 1906; at present, the lessee company pays an annual rent of \$1,250,000. The immediate question confronting the trustees is whether to grant a new lease to the present company and upon what terms. A proposition recently submitted to the lessee company has been rejected by it. Public opinion is at present divided between the advisability of granting an extension to the present company now, or waiting until later. A large part of the community is in favor of a sale of the road, thus relieving the city from its anomalous position as owner of a railway, which it may have to operate at a loss. The general public, however, will not have an opportunity to express its opinion until November, 1901, at which time any agreement for a lease must be submitted for the approval of the people.

(3) The credit of the city is as high, if not higher, than that of any city in the country. In one week \$1,000,000 3 per cent water works bonds were sold at a premium which put the issue on a 2.84 basis. During the time the money realized from this sale is idle it will draw 2 per cent interest from banks designated as city depositaries. Certainly this shows the excellent financial condition of the city.

The legislature will not be in session this winter, so there can be no legislation affecting the city.

**Washington, D. C.**<sup>2</sup>—The two most important events in the municipal affairs of the capital during the centennial year are the creation

<sup>1</sup> Contributed by Max B. May, Esq., Cincinnati.

<sup>2</sup> Contributed by Clinton Rogers Woodruff, Philadelphia.

of a Board of Education and a Board of Charities. They were provided by acts of Congress.

The Board of Education was created as the result of an investigation by the Senate Committee on the District of Columbia in order to improve the administration of the public schools, which was defective. The act of Congress collects in the Board of Education the diffused authority formerly entrusted to the Board of Trustees of the Public Schools and the Superintendent of Public Schools, and gives the board absolute administrative control under the Commissioners of the District of Columbia, who are authorized to appoint the board. It was appointed on the first of July, and has already made the changes necessary to improving the school system and restoring its management to the confidence of the community. The board is made up of some of our best citizens, white and colored, with the president of one of our two principal trust companies as its president, a man who has heretofore declined all public office. The members of the board receive \$10 fees for each meeting attended, not to exceed in all \$500 per year.

The Board of Charities was intended by Congress to bring into coherent system the numerous charitable institutions supported, in whole or in part, by public funds, and for which Congress appropriates, out of the Federal and District moneys, about seven hundred and fifty thousand dollars a year. They needed to be co-ordinated and kept under a central board having the power to supervise and inspect. The act of Congress authorizes the President to appoint five persons not connected with the institutions, and he appointed an admirable board on the first of July. Its personnel is like that of the Board of Education. As there was no such urgency in its case it is taking more time to plan its work, but the character of the members and their acquaintance with the subject, together with the selection of an expert secretary, a well-known member of the International Conference of Charities and Corrections, promise much for the city.

**Voting Machines in Municipal Elections.**—Considerable interest is being manifested throughout the country in the successful conduction of elections by voting machines. Several voting machines have recently been used with marked success, in some twenty-five cities in New York State, and at Northampton, Massachusetts. In New York State 377 machines were used, with a total vote of 350,000.<sup>1</sup> Last year was the first time they have ever been used in a presidential election.

In Buffalo when once properly started they worked all day without breakdown, hitch or trouble of any kind. The voting was exceedingly rapid, the rates varying from 80 to 150 an hour. At one place

<sup>1</sup> See ANNALS, vol. xvi, No. 3. pp. 139.

nine men voted in two minutes, and two of them declared that they had "split" their tickets. In eleven districts over 800 were registered, the three largest numbers being 872, 877 and 893. Yet every man who presented himself had plenty of time to vote, and there were parts of the day during which the machines were idle. Of the 66,600 voters in the city, 44,910, or about 70 per cent, had voted by noon, the polls having opened at 6 a. m. The polls closed at 5 o'clock.

The speed record of last year was far surpassed in the reception of the returns. The polls closed at 5 p. m., and shortly before that time a swift bicycle rider reported at every polling place, with a label on his machine which gave him the right of way over everything in the street and permission to make his utmost speed. In less than five minutes after the polls closed full returns from every district were on their way to the city hall, where the first one arrived at four and a half minutes past five. By half-past five returns had come in from 107 out of 108 districts, and the general result in the city was known. The rider from the missing district had lost his return and had to go back for another copy; but the lost paper was found on the street later and sent in by the police. The entire vote of the city for all candidates was printed in the evening papers by 7.30 p. m., and could have been out an hour sooner but for the accident above mentioned. The results, in all places where the voting machines were used, were placed at once on the wires of the Associated Press and the Bell Telephone Company, and were communicated to both presidential candidates before six o'clock. It is instructive to compare this work with that of the year 1896, when it took *eight hours and thirty minutes* to finish and file the returns from Buffalo!

The first and commonest objection to voting machines is that they foster "straight" voting; and one would expect this objection, if well founded, to be strongly confirmed in a presidential election, as that is the time when party spirit is supposed to be strongest. But the results in Buffalo show that it is entirely without foundation. All but two of the Republican candidates carried the city; but their pluralities varied greatly, as the following examples show: state controller, 5,760; president, 2,912; governor, 2,090; lieutenant-governor, 1,692. Further, one Republican candidate for Congress, whose district lies wholly in the city, was defeated, his Democratic opponent receiving a plurality of 380. It is evident, therefore, that when voting machines are used the people both can and do "split" their ballots just as freely and easily as with paper ballots.

After these two trials, no man in Buffalo has any doubt that the machine system of voting is the best that has yet been devised. It is fair, rapid, accurate, economical, and as nearly fraud-proof as it is possible

for any human device to be. The first and absolutely necessary step in all reform is to make sure that every election is an honest one—is a real expression of the people's will—and this the voting machine does without any uncertainty whatever. This feature alone is worth many times the cost of the machines, but it is not their only merit. The name of every candidate nominated appears plainly before the eye of the voter, where he cannot help seeing it, and all candidates are on exactly the same footing, because it is just as easy to move one indicator as another.

At *Northampton* (Mass.) seven machines were used, averaging about 450 votes to the machine. The number of blank votes was decreased at least 50 per cent as compared with those of 1896. *Cleveland* (Ohio) voted by majority of 5,000 for the adoption of the voting machine. Although the legislation of 1900 made it possible for cities of Ohio to adopt the voting machine, Cleveland alone voted on the proposition. Now that Cleveland has adopted the machine plan of voting there is little doubt but that other cities will follow.<sup>1</sup> *Ithaca* (N. Y.) has used the machines in three elections. The city clerk estimates that in polling 2,800 votes the machine saves the city about \$500 a year by dispensing with the services of election officers and by saving printing expenses. At the last election the results of the city's vote were made known in about fifteen minutes after the closing of the polls.

Chicago reformers are considering the introduction of the voting machine, and a Chicago alderman recently published an earnest appeal for machine voting. Reports from Idaho indicate that a proposition is to be made to the Idaho Legislature to introduce machines in that state. A test election at the University of Pennsylvania, at which 902 students voted with the Standard Voting Machine, has aroused not a little enthusiasm for machine voting in the State of Pennsylvania. The result was counted and recorded in one minute and a half after the close of the polls, in striking contrast to the tardiness of the count at the Philadelphia presidential election the following week. The Pennsylvania press gave considerable space to the discussion of machine voting, which, it will be remembered, is part of the ballot reform program to be acted upon by the present legislature.

<sup>1</sup>The portion relating to Buffalo was contributed by A. C. Richardson, Esq., Buffalo, N. Y.